

**REPORT - PLANNING COMMISSION MEETING**  
**January 9, 2002**

**Project Name and Number:** **BILL BALL PLAZA FORMERLY KNOW AS THE CENTERVILLE CIVIC PLAZA (PLN2003-00107)**

**Applicant:** Roger Ravenstad, City of Fremont

**Proposal:** General Vacation of a portion of Peralta Court.

**Recommended Action:** Find, and recommend to City Council that the Council also find that the proposed general vacation of Peralta Court conforms to the General Plan.

**Location:** Peralta Court in the Centerville Planning Area.

**Assessor Parcel Number(s):** 501-1474-018-00

**Area:** Approximately 8,676 square feet.

**Owner:** City of Fremont

**Agent of Applicant:** N/A

**Consultant(s):** N/A

**Environmental Review:** EIA 98-74, a Negative Declaration was adopted for the Bill Ball Plaza Project, which included the portion of Peralta Court being reviewed through this report. No further environmental review is required for the proposed vacation.

**Existing General Plan:** Public Facility

**Existing Zoning:** P-F(CSPC), Public Facility (Centerville Specific Plan Overlay)

**Existing Land Use:** Peralta Court has now been redeveloped as part of the Bill Ball Plaza, previously Peralta Court was open to vehicular traffic.

**Public Hearing Notice:** No public hearing notification is applicable.

**Executive Summary:** The proposed general vacation pertains to a portion of Peralta Court in the Centerville Planning Area. Through the design and approval of the Bill Ball Plaza, that portion of Peralta Court which was adjacent to the depot property was incorporated into the pedestrian plaza. Therefore, the vacation of this street is required to complete the development of Bill Ball Plaza. The City acquired full title to the lands so that they could be included in the public plaza.

**Background:** The City proposes a general vacation (abandonment) of approximately 8,676 square feet of Peralta Court immediately north of Fremont Boulevard. The street right-of-way on Peralta Court is the former location of Route 84. When Route 84 was re-aligned to connect perpendicular to Fremont Boulevard, the remaining portion of the road was named Peralta Court. Peralta Court had limited access and was primarily used by the adjacent landowners. The portion of Peralta Court to which the general vacation applies, has four underlying parcels that the City acquired ownership of, as of October 21, 2002.

**Proposed Vacation:** In December 1997, Council directed staff to proceed with the acquisition of the former depot property adjacent to Peralta Court and on developing the site as a pedestrian plaza. The lands were subsequently acquired and detailed planning for the Plaza commenced in early 1999, with the assistance of a consultant and the

community. The community expressed a strong preference for staff to pursue the abandonment of Peralta Court adjacent to the Plaza and to incorporate the former street into the pedestrian plaza. The concept plan preferred by the Community and approved by Council, included Peralta Court being developed as part of the plaza. Therefore, the City wishes to vacate a portion of Peralta Court, in order to complete the implementation of the desired concept plan for the Plaza. As set forth in Subsection 8324 of the California Streets and Highways Code, the City Council may initiate a general vacation of a road, if it is deemed unnecessary for street purposes and is not required for present or prospective street purposes. The 8,676 square-foot segment of the street is no longer required, as the surrounding road network has the capacity to facilitate the flow of traffic in the area. The enclosed exhibits have been reviewed and approved by City Engineering staff. Findings can be made for PLN2003-00107 that the street, as described in the attached legal descriptions and plats (Exhibit "A") may be "generally vacated" because it meets the above stated statutory criteria.

The existing General Plan land use designation for the subject lands is Public Facility. Section 8313 of the Streets and Highways Code states that "...if the proposed vacation of a street and/or public service easement is within an area for which a general plan is adopted, the Planning Commission shall consider the General Plan prior to vacating the street." The proposed vacation of the street is in conformance with Public Facility (PF) Goal 1 of the General Plan, which indicates that a range of public facilities and services to meet the health, safety, leisure and cultural needs of the residents shall be provided. The proposed vacation of Peralta Court is consistent with the existing General Plan designation as the Bill Ball Plaza will be a public facility open to and for the enjoyment of the residents of Fremont and the street is no longer necessary for traffic carrying needs.

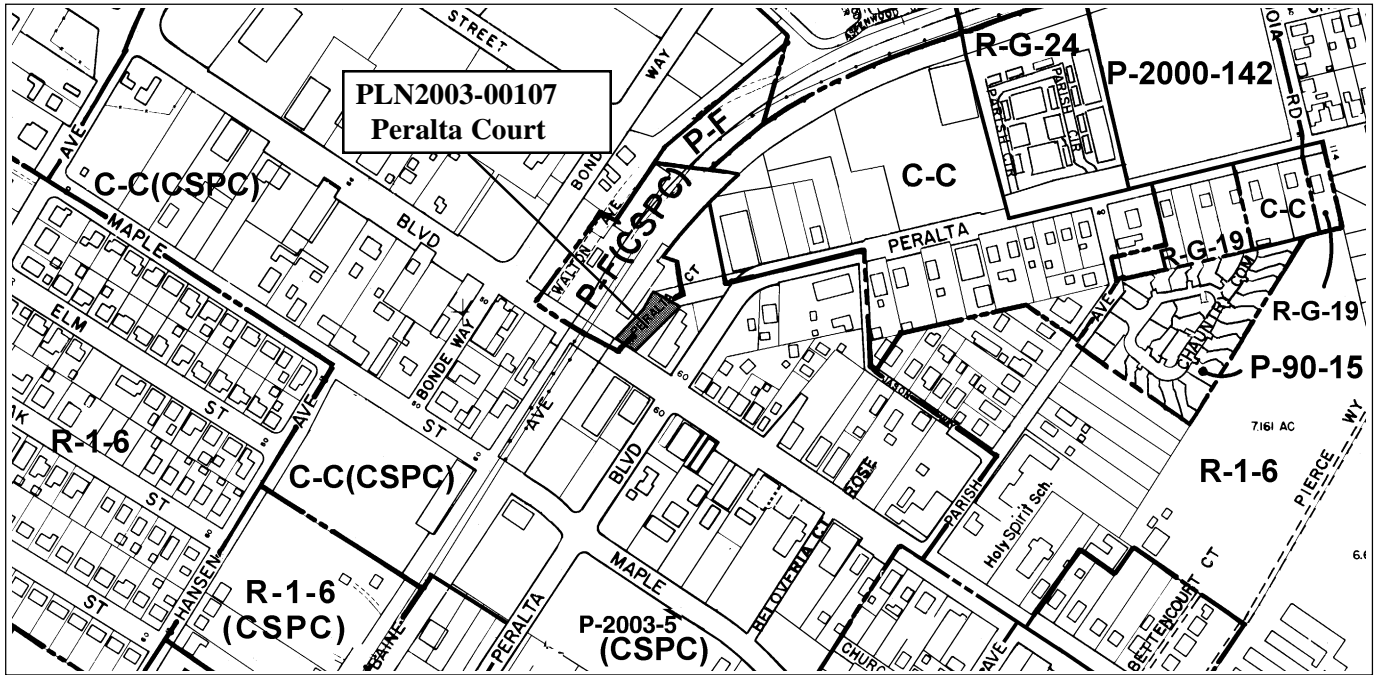
**Enclosures:** Exhibit "A" (Legal Description & Plat for General Vacation)

**Exhibits:** Exhibit "A" (Legal Description & Plat for General Vacation)

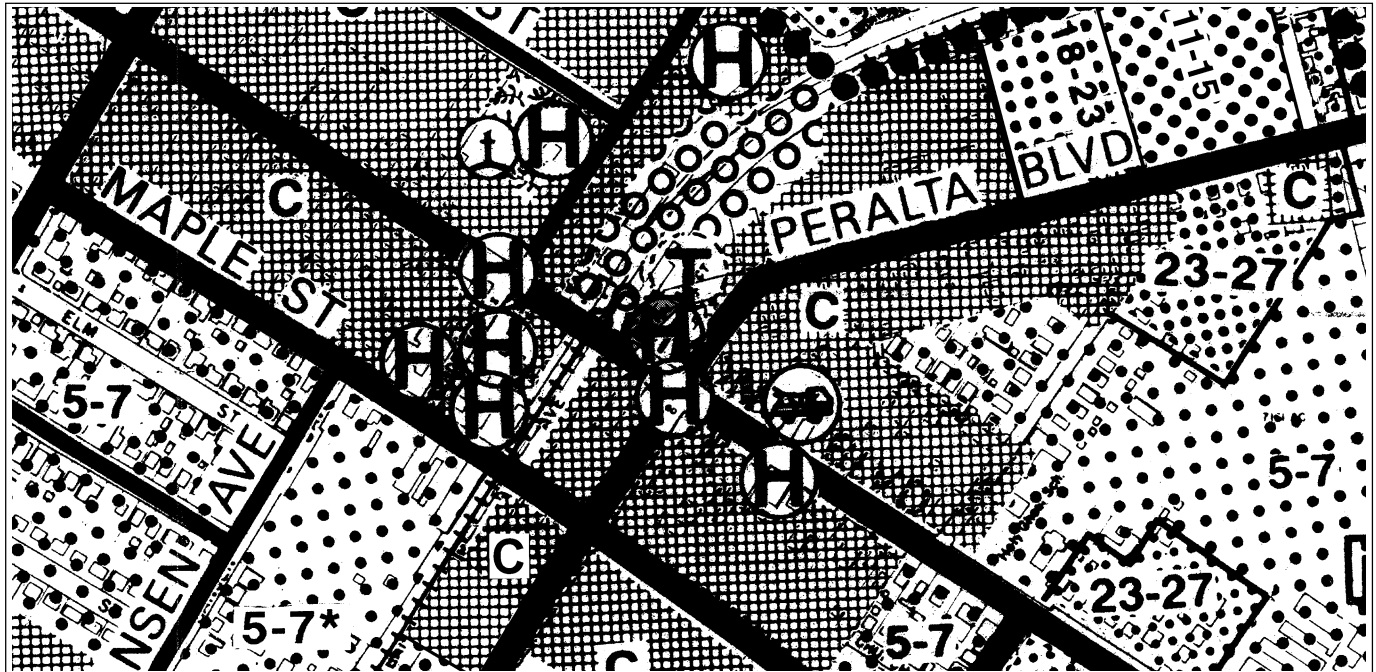
**Recommended Actions:**

1. Find, and recommend to City Council that it also find that the general vacation of Peralta Court conforms to the General Plan because the portion of roadway proposed to be vacated is not now, nor will it in the future, be required for public street purposes.
2. Recommend City Council find PLN2003-00107, as per Exhibit "A", fulfills the applicable requirements set forth in the Fremont Municipal Code and Section 8324 of the California Streets and Highways Code.

# INFORMATIONAL



Existing Zoning



Existing General Plan

**Project Number:** PLN2003-00107 (SA)  
**Project Name:** Bill Ball Plaza formerly Centerville Civic Plaza  
**Project Description:** To consider a general vacation (abandonment) of a portion of Peralta Court located in the Centerville Planning Area.



**Note:** Prior arrangements for access are not required for this site.

